

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE BAYCOL PRODS. LITIG.)	
)	MDL No. 1431
This Document Relates to:)	(MJD/SRN)
)	
<i>United States ex rel. Simpson v. Bayer Healthcare,</i>)	
<i>et al.</i> , MDL Case. No. 08-5758)	

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME

Defendants Bayer Corporation and Bayer AG, by their undersigned counsel, respectfully request that the Court extend the date by which Defendants must file a Reply in Support of their Motion to Dismiss by seven days to November 13, 2009. In support of their motion, Defendants state:

- 1) On September 1, 2009, this Court entered an Order setting a briefing schedule for Defendants' Motion to Dismiss this action. *See* Docket Doc. No. 28.
- 2) The Court's briefing schedule provided that Defendants must file their motion by August 31, 2009, Ms. Simpson must file her response by October 15, 2009, and Defendants must reply by November 6, 2009. *See id.*
- 3) In accord with that schedule, Defendants filed their motion to dismiss and memorandum in support on August 31, 2009 (Docket Doc. Nos. 26, 27), and Ms. Simpson filed her response on October 15, 2009 (Docket Doc. No. 29).
- 4) Due to the schedules of counsel for Defendants, Defendants respectfully request that the time by which they must file their Reply be extended by seven (7) days to November 13, 2009.

5) Counsel for Defendants has inquired with counsel for Ms. Simpson, and counsel for Ms. Simpson has no objection to the requested extension.

WHEREFORE, for the reasons stated, Defendants respectfully request that the Court issue an Order granting Defendants to and including November 13, 2009 to file a Reply in support of their Motion to Dismiss.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, David L. Barlett, certify that true and correct copies of the foregoing
Unopposed Motion for Extension of Time was electronically filed and served on
November 6, 2009.


